

Town of Cazenovia Planning Board

Meeting Minutes

September 5, 2024

Members Present: Robert Ridler, Chairman; Anne Ferguson; Linda Cushman; Dale Bowers; Thomas Clarke; Mary Margaret Koppers; Roger Cook, Alternate Member; Jerry Munger, Alternate Member

Members Absent:

Others Present: John Langey; Chuck Ladd; William Longcore; Gail Longcore; Robert Germain, Esq; William Stratton; Margaret Stratton; Amy Modzeleski; Aaron Hugo; Aaron LaSala; Matthew Vredenburgh; Sheila Fallon

R. Ridler called the meeting to order at 7:30 P.M.

He asked those in the audience to make sure they signed the attendance sheet.

Roll was taken; Jerry Munger was asked to be a voting member.

The next regularly scheduled meeting will be Thursday, October 3, 2024.

The next deadline day will be Wednesday, September 18, 2024.

The next regularly scheduled work session will be Thursday, September 26, 2024.

Motion by A. Ferguson, seconded by T. Clarke, to approve the August 1, 2024 meeting minutes was carried unanimously.

HEARINGS

*Longcore, William & Gail — Line Elimination – 1670 NYS Route 80 with NYS Route 80
File # 24-1531 (Mary Margaret Koppers) New Woodstock*

William Longcore was present to represent the file, and Gail Longcore was in the audience.

M. Koppers asked Mr. Longcore to briefly describe the proposal.

W. Longcore explained the line in question was the westerly line of a 1.96-acre property immediately to the east of the 16 acres the Longcores also own. He said the parcels were purchased separately, and they are interested in incorporating the 1.96 into the 16-acre lot where their home is located.

Motion by M. Koppers, seconded by A. Ferguson, to open the public hearing was carried unanimously.

R. Ridler invited public comments at this time.

Hearing no comments, motion by M. Koppers, seconded by A. Ferguson, to close the public hearing was carried unanimously.

Motion by M. Koppers, seconded by T. Clarke, to approve the line elimination as most recently submitted was carried unanimously.

*Crawford Farms, LLC — Minor (1) Subdivision – 5008 East Lake Road, Cazenovia
File # 24-1545 (Linda Cushman)*

Robert Germain, Esq of Germain of Germain & Germain, LLP was present to represent the file.

R. Germain explained the Board previously approved a line elimination between two parcels creating the existing lot as it is now, but the initiative by the Crawfords was never pursued so they would now like to split the parcel back into two (2) lots.

L. Cushman believed that the lot known as Lot 2 has a house and three sheds located on the subdivision drawing and she wondered if all the structures still existed.

R. Germain believed they did and said the intent was to sell the lots.

It was clarified that the accessory structures had been related to the equine use on that site.

A. Ferguson asked Mr. Langey if the Planning Board restored the line, would having more than one accessory structure be in violation of the Town Code.

J. Langey answered that was the previous existing condition. He did not see that as a violation since they would not be making the condition worse. He said that would be a question for himself and the Code Enforcement Officer Chuck Ladd.

C. Ladd pointed out the use was agricultural, so additional accessory structures were allowed for that use.

Motion by L. Cushman, seconded by A. Ferguson, to open the public hearing was carried unanimously.

R. Ridler asked if there was anyone in the audience wishing to speak.

Hearing no comments, motion by L. Cushman, seconded by A. Ferguson, to close the public hearing was carried unanimously.

Motion by L. Cushman, seconded by T. Clarke to approve the minor (1 new lot) subdivision as most recently submitted was carried unanimously.

LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION

*Kennedy Enterprises 1, LLC — Site Plan Review – 3172 West Lake Road, Cazenovia
File # 24-1528 (Robert Ridler)*

No one was present to represent the application.

R. Ridler said his most recent conversation with Susan Kennedy indicated they were still working on their application. He said it has been brought to his attention that the Kennedys need to bring their plans for remediation of the cutting and the work they did along the lakeshore separate and apart from their house application, so he will convey that information to them.

Motion by J. Munger, seconded by M. Koppers, to continue the file was carried unanimously.

*Stratton, William & Margaret – Site Plan Review – 3176 West Lake Road, Cazenovia
File # 24-1536 (Mary Margaret Koppers)*

William Stratton was present to represent the file, and Margaret Stratton was in the audience.

M. Koppers explained when the Board last met with the Strattons (in July), the Board had requested elevations of the new house. She noticed Mr. Stratton was bringing them to the Board for the first time now.

Drawings created by Mowery Marsh Architects dated 9-5-24 were displayed. A3.01 was viewed first which showed the elevations from the lakeside and the roadside.

M. Koppers asked to see how the house would be positioned on the lot.

A. Ferguson asked if the drawings were already in the file.

M. Koppers repeated this was the first time the drawings were presented.

D. Bowers asked the reason the drawings had not been submitted by the deadline date (August 21, 2024).

M. Koppers had not asked the Applicants that question yet.

D. Bowers explained the procedure to the Applicants for submitting in advance of the meeting in case the Board had questions.

W. Stratton did not recall being told to have the elevations submitted prior to the meeting, and apologized.

R. Ridler responded, "Let's see what you have."
Drawing A1.01 was displayed.

M. Koppers pointed out where the existing house was located, and noticed the new house would be closer to the lake but well within the setbacks on all sides. She asked if the structure to the west were a garage.

W. Stratton affirmed it was.

M. Koppers asked if it would be connected to the house.

W. Stratton answered it would be.

M. Koppers pointed out the septic system and the well location, which had more than adequate separation.

D. Bowers asked if the trees were plotted on the drawing.

M. Koppers responded that most of the trees on the property were located along the southern edge of the lot.

A. Ferguson saw where other trees were also located on the site. She asked what was represented by the "wavy" lines, wondering if it was brush.

W. Stratton answered it represented undergrowth.

A. Ferguson asked if there was any development planned along the lakefront – patio, docks, or walkways, etc...

W. Stratton answered there was a seasonal dock in the lake.

A. Ferguson asked if that was existing.

W. Stratton affirmed it was.

M. Koppers asked about a walkway to the dock.

W. Stratton said it would be grass.

R. Ridler explained the first 20 feet from the water was a critical, protected area. He said there should not be any building within those 20 feet.

W. Stratton expressed understanding and agreement.

M. Koppers asked the colors for the house.

W. Stratton said they were considering natural cedar shakes with white trim or dark brown siding with white trim.

A. Ferguson said the Board prefers dark brown or something that “blends in more,” so that when the house is viewed from the lake, it isn’t as conspicuous.

It was clarified the trim would be white for either option.

W. Stratton remarked they had seen that color scheme along the lake.

R. Ridler asked if Mr. Stratton if he would consider a cream or darker trim color.

W. Stratton said they could make it match the siding.

The Board expressed their approval.

T. Clarke asked where the roof drains would direct water.

W. Stratton asked where the Board would like them to be directed, asking if they wanted to see rain gardens as part of the plan.

M. Koppers asked how the property fared after the last storm, commenting that a lot of mitigation had already been done.

W. Stratton answered it was soggy at the lake edge.

D. Bowers asked the distance between the house and the lake.

M. Koppers thought it was 250 feet.

A. Ferguson thought there was enough distance to accommodate the drainage.

W. Stratton asked if they should have a dry well.

T. Clarke answered they were far enough away from the lake, so that would not be necessary.

M. Koppers acknowledged the elevations were not received prior to deadline day, but she did not find any issues. She asked if anyone on the Board objected to having the information now and needed more time to review it.

D. Bowers thought the plans were sufficiently detailed and the colors had been discussed.

W. Stratton asked if the Board wanted the color samples for the file.

M. Koppers indicated that was not necessary. The Board agreed.

A complete set of elevations was submitted to the file along with floor plans (drawings A1.01, A3.01, A2.01A2.02, and A3.02).

J. Langey asked if the only condition was the trim color.

D. Bowers answered the trim was not to be white. He clarified that the trim would be earth tone colors.

A. Ferguson described the colors as “natural.”

J. Langey said given the distance from the lake and the nonconcern about the environmental issues, this could be considered a Type II Action in regard to the State Environmental Quality Review (SEQR).

Motion by M. Koppers, seconded by L. Cushman, to approve the site plan as most recently submitted was carried unanimously.

J. Munger asked before they move to the next file, he wondered about the statement that was made that there should be nothing in the Critical Environmental Zone, but he believed 5% of impervious surface area could be placed in that first 20 feet from the water.

R. Ridler said that was true.

J. Munger said fire pits and the like were allowed.

R. Ridler agreed.

*Modzeleski, Mark & Amy – Site Plan Review – 2000 Overlook Terrace, Cazenovia
File # 24-1541 (Robert Ridler)*

Amy Modzeleski was present to represent the file.

R. Ridler said the application had primarily requested a pole barn which was reviewed at the last meeting, and now the Board would be addressing the landscaping for that new structure.

A. Modzeleski said the Board should have received the drawing their architect, Coogan Architecture, PLLC had created entitled *C1 2000 Overlook Terrace – Detached Garage Site Plan* dated 8/15/2024 which showed all the existing trees and said the reason they had requested setback relief was so they could tuck the building into the existing woods which would help camouflage it. She said where this barn was proposed there is a 20-foot evergreen tree that was her son's fifth grade tree planting project, so they will be relocating that as well as their younger son's 10-foot-tall tree. She said in addition to that, they propose junipers, ornamental grasses, and a cap yew around the structure. She stated the only time the barn will be viewed would be along a small section along Overlook Drive North.

A. Ferguson asked if a drawing was done showing a front elevation.

The untitled drawing submitted August 20, 2024 was shown, but it lacked the entire vegetative detail. It did show the plantings as well as the structure with the garage door the same as the building. Photographs submitted August 21, 2024 were displayed to show the Board the extent of the trees in the area where the barn would be placed.

D. Bowers asked about feedback from the neighborhood.

A. Modzeleski answered, "Only positive."

R. Ridler recalled that was discussed at the last meeting as well.

A. Modzeleski elaborated that the neighbor behind them, the neighbor across from them, a few neighbors down the road, and the woman to the right had positive opinions.

A. Modzeleski submitted the elevation drawing created by Coogan Architecture, PLLC, dated 8/15/24 entitled *A2 2000 Overlook Terrace – Detached Garage Elevations*.

Motion by L. Cushman, seconded by M. Koppers, to approve the planting plan as most recently submitted was carried unanimously.

File # 24-1547 (Dale Bowers)

No one was present to represent the file.

D. Bowers said he had spoken with John Dunkle, the Engineer for the Town, and Mr. Dunkle had informed the Applicant that a permit from the Army Corp of Engineers was needed for work that was already done disturbing the wetland. Mr. Hoffman has an upcoming meeting with the Army Corp. He told Mr. Hoffman that the Board would not take any action until written notification from the Army Corp was received by the Board.

Motion by D. Bowers, seconded by T. Clarke, to continue the file was carried unanimously.

*Hugo, Aaron & Michela – Site Plan Review– 4398 Syracuse Road, Cazenovia
File # 24-1538 (Dale Bowers)*

Aaron Hugo was present to represent the file with Aaron LaSala of ARAS Design and Construction, LLC and Matthew Vredenburgh, the landscape architect.

D. Bowers said a site visit was performed September 1, 2024. He was unsure how the Board felt about the proposal and asked if the Applicants have anything more they want to say about it.

A. Ferguson said when they visited the site Sunday, trees were identified for removal, and some that the Board had requested to be spared had been removed from the list of those to be cut.

M. Vredenburgh said they will have to remove one tree that they had said they would spare because it was where the driveway would be.

D. Bowers felt there were two (2) issues: the first was tree removal, and the second was a grading plan or a plan for drainage that would need to be approved by the Engineer for the Town. He did not think the Board needed to discuss the drainage plan since they lacked that expertise, and they would defer to Mr. Dunkle, who was absent this evening. He said the trees remained an issue, and to him, the house itself was also an issue.

M. Vredenburgh said he created a drainage concept and he displayed his drawing dated September 1, 2024 entitled *C-200 Hugo Residence 4398 Syracuse Road, Town of Cazenovia, Madison County, New York Aaron and Michaela Hugo Conceptual*

Grading, Drainage, and Landscape Plan. He said he sent it to Mr. Dunkle who was “okay with it,” but wanted a couple items added, which Mr. Vredenburgh has now added to the notes on this plan.

M. Vredenburgh said to summarize, there was a big storm and the water overtopped the swale and created a lot of erosion of the driveway. He said they wanted to prevent that from happening again. He said they also spoke to the neighbors after having met with the Board members at the site. The neighbors confirmed his suspicions regarding the storm water. He showed where they would create a deeper swale to collect some of the smaller storms before water moves down the line. He said they would deepen an existing swale which was fully on their property. He said one of the neighbors’ concerns was satisfied, that all the improvements would be on the Hugo property. By deepening the existing swale, the water will be able to turn the corner. They will also expand the storm basin, believing that would be prudent. He said there were white pines in that area, but they hope to expand the basin without disturbing those trees. If they cannot, they would consider doing something in another area of the property where there is only scrub brush.

R. Ridler asked if they would create a retention pond.

M. Vredenburgh described it as a low basin, to prevent erosion during construction and after. He said they would address the drainage concerns first to avoid any issues when they open the site for construction.

M. Vredenburgh said Mr. Dunkle had asked that the driveway grade be pitched to the north, to collect everything from the driveway into the nearby swale. Mr. Dunkle also wanted permanent check dams built into the swale, and he wanted that armored.

M. Vredenburgh showed where a settling area would be located and explained a level spreader would be “off the back.” He said they agreed to do those improvements and concurred with the sensibility of them.

J. Langey asked if he was included on the email from Mr. Dunkle.

M. Vredenburgh answered Mr. Dunkle had called him with these suggestions.

J. Langey asked if all those items were captured in the design being submitted.

M. Vredenburgh affirmed they were.

A. Ferguson clarified for the record that the plans presented this evening reflect all the things requested by John Dunkle and they are incorporated into this design.

M. Vredenburgh answered, “Yes, yes.”

J. Langey appreciated the cooperation of Mr. Vredenburg's client, and explained that a Stormwater Maintenance Agreement to be recorded with the property was something requested for other stormwater plans so future owners will know they need to keep these things in place. He elaborated that it would be a short agreement that would be recorded and then the next owner will know their responsibility to keep these features. He said Mr. Vredenburg would create a simple outlined maintenance plan and Mr. Langey would incorporate that into an agreement which would be filed in the County Clerk's office.

M. Vredenburg was familiar with the process having other projects with them.

Potential details were discussed.

T. Clarke asked about trees to be removed along the driveway to the north.

M. Vredenburg said they were smaller, 8-inch spruce trees.

T. Clarke asked that those trees be marked for removal, explaining the need for trees to be marked for the contractor to know what should be cut and what should not be.

D. Bowers, to that point, asked Mr. Cook to read the Board a section of the Town Code relative to that.

R. Cook explained this section of Code lists what should be included in a site plan application and among those items was section 133-9 (9) A grading and drainage plan, showing existing and proposed contours, rock outcrops, depth to bedrock, soil characteristics (including type) and watercourses and 133-9 (26) Landscape plan showing all existing natural land features, trees, forest cover and all proposed changes to these features, including size, type of plant material and spacing.

D. Bowers said that was important to him because now the Applicants have trees marked for removal, but the Board has no idea how many trees are really there, which ones are really coming out, and which ones are really going to stay, because as Mr. Clarke has noted, someone could remove unauthorized trees and then the trees would be gone. He said the Modzeleskis located all the trees for their site plan review.

M. Vredenburg responded there were 1000 trees on this site.

D. Bowers said he understood, but asked how the Board "could police this?"

M. Vredenburg said they have been identifying 12-inch-caliper and larger.

D. Bowers responded, “We still need something, as far as I’m concerned.” He said too many other projects have gone awry (when it has come to tree clearing and land disturbance).

C. Ladd asked if an arborist should be consulted to identify trees that could not survive disturbance for the project.

D. Bowers elaborated that the responsibility for correct or incorrect removal “gets thrust” on Mr. Ladd and then Mr. Ladd and the Board have to answer for clearing that “gets over-aggressive.”

A. Ferguson asked instead of marking trees that must remain, if it would be better to mark trees to be removed.

D. Bowers repeated his question as to how to police that.

C. Ladd asked how it would be determined which trees would be removed.

A. Ferguson and D. Bowers said the Applicants have already determined which trees those would be.

A. LaSala thought that was the reason for the recent site visit.

A. Ferguson believed Mr. Bowers was wondering how the Board could ensure the right trees will come down.

D. Bowers added if the trees to come down are marked, once they are removed, the yellow ribbons will also be removed, so the Board will not know if the right trees were removed.

C. Ladd asked how many more trees need to come down.

M. Vredenburg believed they understood which trees were of importance. Looking at C-200 he indicated trees that were not important, mentioning an apple tree, and some evergreens tucked into the woods that had no foliage. He also showed where a nice spruce and a nice pine needed to be removed because of the proposed driveway. He showed where they were going to remove a row of trees. He said they could document that any way the Board wanted – taking photographs, or marking the trees again.

A. LaSala offered to meet with Mr. Ladd before doing it.

D. Bowers responded he needed “some sort of failsafe,” so they could all rest easier. He said the number of trees and the significant size of the trees being removed, in his opinion, necessitated care.

T. Clarke said in addition to that, another project recently had a contractor remove significantly more trees than were proposed (and now that has become an issue).
A. Hugo said he would not want that.

D. Bowers responded those owners had not wanted that either.

A. Hugo said he has been a property owner on the lake for 10 years and he has made improvements to his property before the Board previously and done so very much in line with what the Board had wanted. He said their plan was to be “very natural.” He said they will be removing many trees but they will also be putting in better trees.

M. Vredenburg added that Ms. O’Connell pointed out where the Lessen trees were located along the old railroad line on the property when they visited the site with her. He said they would be sure to preserve the historic tree that somehow survived the building of the existing house.

A. LaSala said that tree was planted in 1880.

D. Bowers mentioned those neighbors submitted a letter to the file today.

M. Vredenburg responded the neighbors had written the letter before meeting with them.

D. Bowers also thought the Board should see a plan showing how the Applicants plan to protect trees that will not be removed when the existing house is removed.

A. Ferguson said the plan already includes a narrative regarding the removal of the dead and weak species, as well as replanting plans.

D. Bowers said those items did not address protections.

M. Vredenburg replied they could put up vegetation protection fencing.

A. LaSala said when the house is removed there should be adequate distance between that and the trees that will be protected. He said once a couple trees to the south are removed, there would be plenty of room to move around the site without impacting (the other existing trees in that area).

M. Vredenburg said they did not disagree with Mr. Bowers, they were just unsure how to reassure him.

A. Ferguson asked about putting markers or tags in the ground.

M. Vredenburgh responded they could do whatever was asked, but noted anyone could say the markers had been moved as well.

A. LaSala said regarding the trees to be removed along the berm, those were planted 18 years ago. He said the point of that removal was to give the house some “breathing room.”

M. Vredenburgh said fortunately in the work area being discussed, the trees are distinctive, mentioning a white pine, a spruce, and an apple tree. He pointed out areas around the site shown on C-200 and showed where there was a dead cherry, a Norway maple, and a spruce. He showed at the base of the berm where smaller Norways were located with bigger ones were at the top of the berm.

M. Koppers visited the site separately from the group and asked about some other trees she had seen.

M. Vredenburgh noted that there was a 14-inch spruce and a 22–28-inch poplar or oak. He said those were in an area where there would not be grading. He said that was another advantage of putting in the stone wall to save the Lessen tree; that would greatly reduce the area needing grading. He showed an area where they will be tying in their grades near a block wall. He repeated they could mark the row of trees and set up vegetation protection fencing.

A. LaSala said the reason some trees were not marked was because it was so thick, they could not get between them.

A. Ferguson asked, as Mr. LaSala had mentioned, if they could notify Mr. Ladd so he could visit the site before and after clearing to be sure the contractor has not become over-zealous, when they were ready to remove trees.

A. LaSala said pending the Board’s approval, this would be done soon, and he said he would be happy to meet with Mr. Ladd every morning during the 4–5-day felling process.

A. Ferguson asked if that gave Mr. Ladd the necessary assurance.

C. Ladd indicated it would.

D. Bowers said the larger issue for him was that he was not happy with the house on the site. He understood he might be the only one, but he believed he should voice his opinion. He felt the existing house was sited on the property as it should be. He said

repositioning the new house 90 degrees has caused the consternation about trees. He said moving the house back from the lake and up the hill 80 – 90 feet has also caused more of a problem with the trees as well. He said if the location of the house were closer to the lake, there would be a longer driveway, but fewer trees would be impacted. He felt that needed to be noted, whether the Board agreed or not.

A. Ferguson replied that she understood Mr. Bowers' point.

M. Vredenburg said one advantage of having the house farther from the lake was drainage.

A. Ferguson agreed it also eliminated the driveway slope.

M. Vredenburg responded that his history with the Board was that distance from the lake was preferred.

A. LaSala said regarding the private covenants, the existing house was not in compliance with the requirement that the minimum living area of heated space be 2000 square feet on the first floor. He concluded the subdivision was designed for the building of more stately homes, rather than cottages. He felt that was clearly the intent.

M. Vredenburg added the covenants also require a minimum of 35 feet of side yard setback and they had 52 feet on one side and more than 35 feet on the other.

It was clarified the Board does not deal with the private covenants.

M. Vredenburg just wanted to point out that they were working with the neighbors regarding those covenants.

M. Koppers said she walked the property, and she looked at the other properties along the fire road and she noted the existing house was by far the smallest in the development. In her opinion, what has been proposed in its current form, without the extra wing, will be in keeping with the neighborhood.

T. Clarke asked if part of the Hugo driveway was located on the O'Connell property.

M. Vredenburg affirmed it was a shared driveway with an agreement.

A. LaSala said the covenants spell out a maintenance agreement for the driveway.

J. Munger expressed his approval of moving the house farther from the lake and eliminating some of the driveway slope, as well as Ms. Kopper's observations.

L. Cushman said she "was good with" the proposal.

M. Vredenburg said they would work with the Board in handling the tree removal.

A. Ferguson clarified that Mr. Ladd agreed to meet with Mr. LaSala the mornings of the tree removals before and after clearing to verify work.

A. Ferguson asked if there were any changes to the plan from the site visit September 1st that the Applicants would like to highlight.

M. Vredenburg said the big change was the reduction of impact and the adding of the wall, as well as the preservation of the Lessen tree.

J. Munger asked the location of the wall.

M. Vredenburg showed the location of the wall on the C-200 drawing. He said it would allow them to have a relatively flat lawn between it and the house.

J. Munger asked if that was the existing wall.

M. Vredenburg answered the existing wall was along the railroad line.

A. Ferguson asked the height of the new wall.

M. Vredenburg answered 4 – 6 feet.

A. Ferguson asked if that was the height of the wall.

M. Vredenburg replied that was the change in elevation.

M. Vredenburg elaborated that they proposed to plant low shrubs in front of it. He said it would not be seen because it would be 25 feet above the water and in the canopy of the trees.

R. Ridler asked about the spruce tree that he had hoped to preserve.

M. Vredenburg said that tree would now have to be removed because of the proposed section of driveway.

A. LaSala said the Lessen tree would now be preserved, which during the site visit was marked for removal.

J. Munger asked about the area between the proposed wall and the lake, asking about the condition there with the drop-off and erosion.

M. Vredenburg responded that area needed to be addressed. Reading from the notation on the C-200 drawing he said, “The plan for the shoreline is to improve pedestrian access to the shore, for the purpose of safely accessing a dock. The Owners wish to allow the shoreline to remain naturalized, only creating steps down to the water. From the top of bank there is an 8’ (+/-) drop to the water. All mature vegetation will remain. Specific planned improvements will be identified and will be presented to the Planning Board through a separate application at a later date.” He said right now they will not address that issue, but they will come back to the Board for a separate approval for those specific improvements.

T. Clarke said it was his understanding that Mr. Ladd will be notified when the trees will be removed.

D. Bowers asked if the Board was satisfied with the landscaping plan as presented.

A. Ferguson said Mr. Ladd will “show up each day” scheduled for tree removal.

M. Vredenburg read other notes on the plan saying, “Existing vegetation along the south property line will remain to provide privacy for the property owners on both sides of the line. Additional planting will be installed to increase privacy. In addition to keeping the vegetation on the property (line), white pines, dogwoods, viburnums, and other native trees and shrubs will be planted to create a solid, yet natural looking, vegetative buffer that will minimize or eliminate altogether the view of the new house from the existing neighboring home to the south. The new vegetation will be layered to create a more natural composition.” He said that would be the planting plan for that side – keep the existing then add trees and shrubs for screening.

L. Cushman believed the Applicants had said the planting would be 10–12-foot trees.

M. Vredenburg said they could certainly agree to that. He did not think that had been discussed but that was his normal practice.

D. Bowers asserted if the project were to be approved, the Applicants and Board needed to understand what was to be done. He said case in point, the height of the trees had not been discussed.

M. Vredenburg asked if a planting plan to be added to the file and approved would be desirable.

D. Bowers and J. Langey wanted that to be part of the record.

R. Ridler asked if that should be a condition of the approval.

D. Bowers said as Mr. Cook had read, this was an item that should have been part of the application.

M. Vredenburg responded he could create a planting plan however, until all the trees were removed, he would not know how much space there would be to fill.

D. Bowers responded the Board did not have a full plan. He said generalities were discussed but a specific plan that could be used for practical purposes was lacking.

A. Ferguson said a condition of the plan could include a schedule of the number of the plants, the size of the plants and calipers of the trees, and the species.

M. Vredenburg spoke about his inability to create an accurate plan until removal of the smaller trees was done.

A. Ferguson asked about submitting the plan after the trees have come down. She said for other projects, Owners had built the house and then submitted planting plans once they knew what they wanted for landscaping. She said typically a year was given to provide that planting plan. She repeated a condition of the project would be the submission of the planting plan detail within a year of the house build.

A. LaSala suggested it be a condition of the Certificate of Occupancy.

The suitability of that condition was discussed.

J. Langey clarified the Applicants would have to return to the Board for approval of the planting plan.

A. Ferguson repeated other applicants have done that.

M. Vredenburg asked about attending a work session for approval.

D. Bowers explained approvals could not be given at the work sessions.

J. Langey led the Board through Part 2 of the Short Environmental Assessment Form (SEAF) for the SEQR process, finding that there would be no, or small impacts with proposed mitigations, for each item.

J. Langey then reviewed the formal conditions he heard mentioned during this evening's discussion.

1) The preparation and recording of a Stormwater Maintenance Agreement. He said Mr. Vredenburgh will give him information and Mr. Langey will prepare the instrument that will be recorded, and Mr. Dunkle will have input for it as well.

2) All trees to be removed will be marked and there will be a prior inspection of those trees by the Code Enforcement Officer, as well as a post inspection.

3) Any additional work on the site, i.e. work at the shoreline, will require a separate site plan review and Planning Board approval.

4) Size, height, caliper of trees, and species of replacement and new plantings will be submitted in a written planting plan for Planning Board approval prior to the issuance of a Certificate of Occupancy for the new house.

J. Langey asked if there were any additional approvals needed from Mr. Dunkle for this project.

A. Ferguson answered, "No."

J. Langey said he would also include in the resolution standard conditions that apply to all approvals. He asked Chair Ridler to check it over once he has prepared the resolution to make sure all items have been captured.

R. Ridler expressed his assent. He asked the Board if they were in a position to make a motion to approve the application.

T. Clarke asked if Mr. Vredenburgh will mark the trees that will be removed on the north side of the property.

M. Vredenburgh answered, "Yes."

J. Langey asked Mr. Vredenburgh to send him a list of all the project plans through this latest revision in a word document.

A. Ferguson asked if C-200 was in the file. It was added at this time.

J. Langey explained that he uses a formalized list of documents of what the Board has seen and approved for the resolution he will prepare.

M. Vredenburgh confirmed that Mr. Langey wants only the documents that were approved and last revised (not every plan that was submitted and replaced).

Motion by J. Munger, seconded by A. Ferguson, to appoint the Planning Board as Lead Agency for the purposes of the SEQR, to affirm the matter an Unlisted Action and make a Negative Declaration based upon the review of the SEAF and to approve the site

plan for the construction of a new home as most recently submitted and conditioned upon the aforementioned requirements was carried as follows:

Anne Ferguson	Voted	Aye
Lindal Cushman	Voted	Aye
Dale Bowers	Voted	No
Thomas Clarke	Voted	Aye
Jerry Munger	Voted	Aye
Mary Margaret Koppers	Voted	Aye
Robert Ridler	Voted	Aye.

*EBAC, LLC/ Owera Vineyards – Site Plan Review – 5276 East Lake Road, Cazenovia
File # 22-1428 (Robert Ridler)*

No one was present to represent the file.

Motion by D. Bowers, seconded by L. Cushman, to continue the file was carried unanimously.

R. Ridler asked how long the Applicants should be given to return to the Board.

A. Ferguson thought until January of 2025.

R. Ridler asked Mr. Bowers if going forward the Board should require all the items mentioned in the Town Code for site plan review, including those read by Mr. Cook earlier this evening.

A. Ferguson believed a planting plan was routinely requested now.

It was determined the extent of the plan was site sensitive.

D. Bowers did not believe every site plan review needed the detail he felt the Hugo project should have had.

R. Ridler said his point was that the Board consider each application to see whether or not it is worthy of a more specific review.

A. Ferguson responded, "Correct."

D. Bowers said, "You're right."

T. Clarke remarked the Board would not have known the trees along the driveway were to be removed if they had not met onsite with the Applicants.

Motion by D. Bowers, seconded by T. Clarke, to adjourn the meeting at 8:33 P.M. was carried unanimously.

Sue Wightman, Planning Board Secretary – September 6, 2024